

DEPARTMENT OF THE ARMY  
HEADQUARTERS III CORPS AND FORT HOOD  
FORT HOOD, TEXAS 76544-5000

PHANTOM SIX COMMAND POLICY

NUMBER  
SJA-02

AFZF-JA

5 March 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Withholding Article 15, UCMJ Authority to Dispose of Misconduct Involving  
Officers and Sergeants Major

1. REFERENCES.

- a. Manual for Courts-Martial, United States, 2002 Edition, Rule for Courts-Martial 306.
- b. Army Regulation 27-10, Military Justice, 6 September 2002, paragraph 3-7.

2. APPLICABILITY. This policy applies to all units and activities under the general court-martial convening authority of the Commander, III Corps and Fort Hood.

3. POLICY.

- a. Allegations of misconduct against senior leaders are sensitive and important matters. They impact entire units in addition to the persons involved. They are frequently subject to additional scrutiny and review.
- b. Scope of Reservation. Pursuant to Rule for Courts-Martial 306, the authority to dispose of UCMJ offenses allegedly committed by commissioned officers, warrant officers, or sergeants major is withheld to the Commanding General, III Corps & Fort Hood.
- c. Limitation on Delegation. The authority in paragraph 3a may only be delegated to the Deputy Commanding General, III Corps & Fort Hood. Subordinate commanders do not have the authority to impose nonjudicial punishment for UCMJ offenses allegedly committed by commissioned officers, warrant officers, or sergeants major.

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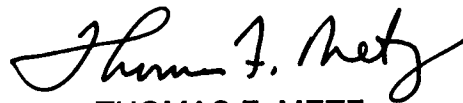
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d. Senior Leader Misconduct Report. No later than 72 hours from receipt of information that a commissioned officer, warrant officer, or sergeant major may have violated the UCMJ, the suspect's special court-martial convening authority (SPCMCA, brigade commander) shall provide an e-mail to the Deputy Commanding General, III Corps & Fort Hood. Send a copy to the Staff Judge Advocate. When sergeants major are involved, send a copy to the III Corps Command Sergeant Major. Include all relevant facts, known evidence supporting those facts, and circumstances surrounding the alleged offenses. In addition to the factors set out in Rule for Courts-Martial 306(b), the report shall address:

- (1) Crime: what happened (who did what, where, when, how, and why).
- (2) Accused's service record, family situation, and mitigating or extenuating circumstances.
- (3) Victims and their concerns.
- (4) Unit impact: the specific effect on the good order, discipline, and morale of the unit.
- (5) Recommended disposition: Give me your independent recommendations for an appropriate disposition. For example: DCG Article 15, general officer memorandum of reprimand, counseling (oral or written), release to brigade commander for courts-martial or appropriate action, or no action.

If you cannot provide the requested information within 72 hours, provide an interim report delineating as much information as possible.

4. EXPIRATION. This Phantom Six Command Policy memorandum remains in effect until superseded or rescinded.



THOMAS F. METZ  
Lieutenant General, USA  
Commanding

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1 Each III Corps MSC